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OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Ref: 10 CFR 72 & 73

STARS-020019

October 2, 2002

Secretary, U. S. Nuclear Regulatory Commission
Attn: Rulemakings and Adjudications Staff
Washington, DC 20555-0001

DOCKET NUMBER
PROPOSED RULE 72+73
(67FR54360)

**STRATEGIC TEAMING AND RESOURCE SHARING (STARS)
COMMENTS ON 10 CFR PARTS 72 AND 73
EVENT NOTIFICATION REQUIREMENT PROPOSED RULE
(67 FR 54360)**

Gentlemen:

The following comments are submitted on behalf of the Strategic Teaming and Resource Sharing (STARS)¹ nuclear power plants on the proposed rule for 10 CFR Parts 72 and 73 concerning event notification requirements (see 67 FR 54360).

In general, STARS supports the proposed rule. The proposed rule modifies the reporting requirements for Independent Spent Fuel Storage Installation (ISFSIs) events, Monitored Retrievable Storage (MSR) installation events and safeguards events. The modifications are intended to align these event reporting requirements with the recent changes to the power reactor event reporting requirements (see 10 CFR 50.72 and 50.73). The new time frames for initial reports and written reports more appropriately match the significance of the events. Changing the written reports from within 30 days to within 60 days can potentially reduce the number of amended reports required because some information was not available when the initial written report was required. The list of events in Part 72 seem appropriate for the ISFSIs and MSR installations.

STARS has one recommended change. The types of events which require written reports in Part 72 are not consistent with 10 CFR 50.73. Most of the immediate notification requirements for operating nuclear power reactors (see 10 CFR 50.72) also require licensee event reports (see 10 CFR 50.73). The exceptions include: declaration of an emergency class, a press release,

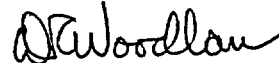
¹ STARS is an alliance of six plants (eleven nuclear units) operated by TXU Energy, AmerenUE, Wolf Creek Nuclear Operating Corporation, Pacific Gas and Electric Company, STP Nuclear Operating Company and Arizona Public Service Company.

notification to another government agency, and transportation of a contaminated person offsite. The equivalent events in the proposed revisions to Part 72 (10 CFR 72.75 (a), (b)(2), and (c)(3)) should not require written reports. Although there are several ways to address this recommended change, STARS suggests that the first full sentence in proposed paragraph (g) *Preparation and submission of written reports*, be rewritten to read as follows:

Each licensee who makes an initial notification required by paragraphs (b)(1), (c)(1), (c)(2) or (d) of this section shall also submit a written follow-up report to the Commission within 60 days of the initial notification.

The STARS plants appreciate the opportunity to comment on this proposed rule for 10 CFR Parts 72 and 73. If there are any questions regarding these comments, please contact me at 254-897-6887 or dwoodl1@txu.com.

Sincerely,



D. R. Woodlan, Chairman
Integrated Regulatory Affairs Group
STARS